

(5) Fascicles of buffelgrass (*Cenchrus ciliaris*) consisting of bristles and spikelets;

(6) Burs of buffalograss (*Buchloe dactyloides*);

(7) Bulblets of bulbous bluegrass (*Poa bulbosa*);

(8) Multiple units as defined in § 201.51a(b)(1).

(c) Dry indehiscent fruits in the following plant families: Buckwheat (*Polygonaceae*), sunflower (*Compositae*), geranium (*Geraniaceae*), goosefoot (*Chenopodiaceae*), and valerian (*Valerianaceae*);

(d) One- and two-seeded pods of small-seeded legumes (*Leguminosae*), burs of the burclovers (*Medicago arabica*, *M. polymorpha*), and pods of peanuts (*Arachis hypogaea*). (This does not preclude the shelling of small-seeded legumes for purposes of identification.) Pods of legumes normally containing more than two seeds, when occurring incidentally in the working sample, should be hulled if the kind is hulled when marketed;

(e) Fruits or half fruits in the carrot family (*Umbelliferae*);

(f) Nutlets in the following plant families: Borage (*Boraginaceae*), mint (*Labiatae*), and vervain (*Verbenaceae*);

(g) "Seed balls" or portions thereof in multigerm beets, and fruits with accessory structures such as occur in other *Chenopodiaceae* and New Zealand spinach. For forage kochia refer to § 201.48(j) and § 201.51(a)(7).

[46 FR 53636, Oct. 29, 1981, as amended at 59 FR 64497, Dec. 14, 1994; 65 FR 1707, Jan. 11, 2000]

#### § 201.47b Working samples.

The purity working sample is the sample on which the purity analysis is made. The noxious-weed seed working sample is the sample on which the noxious-weed seed examination is made.

[20 FR 7930, Oct. 21, 1955]

#### § 201.48 Kind or variety considered pure seed.

The pure seed shall include all seeds of each kind or each kind and variety under consideration present in excess of 5 percent of the whole. Seeds of kinds or kinds and varieties present to the extent of 5 percent or less of the whole may be considered pure seed if

shown on the label as components of a mixture in amounts of 5 percent or less. The following shall be included with the pure seed:

(a) Immature or shriveled seeds and seeds that are cracked or injured. For seeds of legumes (*Leguminosae*) and crucifers (*Cruciferae*) with the seed coats entirely removed refer to § 201.51(a)(1);

(b) Pieces of seeds which are larger than one-half of the original size. For separated cotyledons of legume seeds refer to § 201.51(a)(2);

(c) Insect-damaged seeds, provided that the damage is entirely internal, or that the opening in the seed coat is not sufficiently large so as to allow the size of the remaining mass of tissue to be readily determined. Weevil-infested vetch seeds, irrespective of the amount of insect damage, are to be considered pure seed, unless they are broken pieces one-half or less than the original size. For classification of broken pieces of seed units one-half or less than the original size, refer to § 201.51(a)(2). Refer to § 201.51(a)(3) for chalcid-damaged seeds;

(d) Seeds that have started to germinate;

(e) Seeds of the cucurbit family (*Cucurbitaceae*) and the nightshade family (*Solanaceae*) whether they are filled or empty;

(f) Intact fruits, whether or not they contain seed, of species belonging to the following families: Sunflower (*Compositae*), buckwheat (*Polygonaceae*), carrot (*Umbelliferae*), valerian (*Valerianaceae*), mint (*Labiatae*) and other families in which the seed unit may be a dry, indehiscent one-seeded fruit. For visibly empty fruits, refer to inert matter, § 201.51(a)(6);

(g) Seed units of the grass family listed in § 201.47a(b) (1) through (5) if a caryopsis with some degree of endosperm development can be detected in the units, either by slight pressure or by examination over light. Species in which determination of endosperm development is not necessary are listed in paragraphs (g) (1) and (2) of this section. Refer to §§ 201.48(h) and 201.51(a)(5) when nematode galls and fungal bodies have replaced the caryopsis in seed units. The